

**Remarks:**

The above amendments and these remarks are responsive to the Office action dated August 12, 2004. At the time of the present Office action, claims 1-7, 12, 15-17, 21, 23-27, 30 and 31 remained pending in the application.

Pursuant to the Office action claims 2 and 27 are objected to in view of informalities outlined below. Claims 1-5, 15 and 30 stand rejected under 35 U.S.C. § 102(a) based on Martin et al. (US 6,163,662). Claim 6 stands rejected under 35 U.S.C. § 103(a) based on Martin in view of Karlsson (US 6,034,360). Claim 31 stands rejected under 35 U.S.C. § 103(a) based on Martin in view of Pompei (US 6,499,877). Claims 7, 12, 17, 21 and 27 stand rejected under 35 U.S.C. § 103(a) based on Martin in view of Nakamura et al. (US 5,599,104). Claim 25 stands rejected under 35 U.S.C. § 103(a) based on Martin and Nakamura as applied to claims 7, 12, 17, 21 and 27 above and further based on Cernusak et al. (US 6,389,241). Claim 16 stands rejected under 35 U.S.C. § 103(a) based on Martin and Nakamura as applied to claims 7, 12, 17, 21 and 27 above and further in view of Karlsson. Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) based on Martin in view of Weiss (US 4,887,229). Claims 26 stands rejected under 35 U.S.C. § 103(a) based on Martin in view of JP 01242947A.

In view of the amendments above, and the remarks below, applicants respectfully request reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

**Objections to the Claims**

As noted, the Examiner has objected to claims 2 and 27 because of informalities in such claims.

In particular, the Examiner indicates that "a media feed path" lacks antecedent basis in claim [sic] 2. The Examiner's objection is not understood as "a" precedes "media feed path" in claim 2, making antecedent basis unnecessary. Nevertheless, because applicants note that claim 1 also recites "a media feed path," claim 2 has been amended to recite "the media feed path." Furthermore, applicants have amended the disclosure to replace various instances of "a feed path P" with "a media feed path P" in the text.

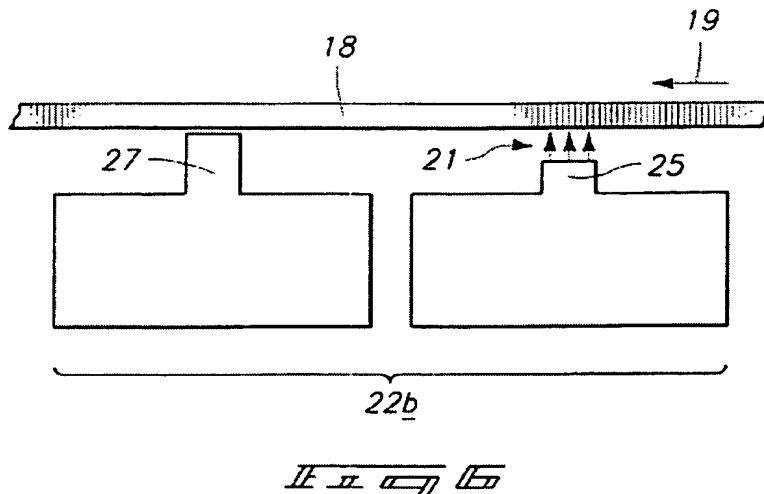
With respect to claim 27, the Examiner indicates that "it is not clear from the claim language how the heat capacity is calculated, based on thermal energy radiated from the media, or based on a comparison." Again, applicants respectfully disagree. Nevertheless, applicants have amended claim 27 to specify "determining a heat capacity of the media by comparing the media temperature with the reference temperature."

The Examiner's objections to claims 2 and 27 thus are overcome.

Rejections under 35 U.S.C. § 102(a)

Turning now to the merits, claims 1-5, 15 and 30 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Martin et al. In particular, the Examiner asserts that Fig. 6 [of Martin] discloses "a device for identifying media type in a media processing device..." Applicants respectfully disagree. Although Martin et al. does disclose a device configured to determine qualitative characteristic of the media, and to generate a signal indicative of the qualitative characteristic, Martin et al. does not disclose identifying media type based on heat capacity of the media.

Fig. 6 of Martin is shown below:



As indicated in Fig. 6, and as described in the text cited by the Examiner in the Office action, sensor configuration 22b includes a heat source 25 and a temperature sensing device 27, and "can be used to monitor heat capacity and thermal conductivity of media sheet 18" (Martin et al., col. 6, lines 59-60). More specifically, Martin et al. goes on to state "[t]he temperature is indicative of qualitative characteristics such as heat capacity and thermal conductivity of media sheet 18" (Martin et al., col. 7, lines 16-18). However, Martin et al. does not disclose using either temperature or heat capacity to "identify media type" as recited in claim 1. The rejection of claim 1 under 35 U.S.C. § 102(a) based on Martin et al. thus must be withdrawn.

Claims 2-5 depend from claim 1, and thus are distinguishable from Martin et al. for at least the same reasons as claim 1. The rejection of claims 2-5 under 35 U.S.C. § 102(a) based on Martin et al. thus must also be withdrawn.

Claim 15 depends from claim 12 (which was not rejected under 35 U.S.C. § 102(a) based on Martin et al. or any other single reference), and thus is addressed in conjunction with claim 12 below.

Regarding claim 30, which recites "a processor means coupled with the temperature-sensing means for receiving an output representative of the sensed temperature, determining heat capacity of the media based on such output, and identifying media type based on such heat capacity." As noted, Martin et al. does not disclose or suggest identifying media type. The rejection of claim 30 under 35 U.S.C. § 102(a) based on Martin et al. thus must be withdrawn.

Rejections under 35 U.S.C. § 103(a)

Claims 6, 7, 12, 16, 17, 21, 23-27 and 31 stand rejected under 35 U.S.C. § 103(c) as being unpatentable over Martin et al. in view of various other references (including Karlsson, Pompei, Nakamura et al., Cernusak et al., Weiss and JP 01242947A. Applicants traverse these rejections, noting that neither Martin et al., Karlsson, Pompei, Nakamura et al., Cernusak et al., Weiss nor JP 01242947A disclose or suggest identifying media type based on heat capacity. As indicated above, claim 1 recites sensing diffused thermal energy to determine heat capacity, and thereby, "to identify media type." Claim 30 recites a processor means coupled with the temperature-sensing means for ... identifying media type based on such heat capacity." Claim 12 recites "a processor coupled with the temperature sensor to selectively identify media type based on sensed temperature of the media as compared to a reference temperature." Claim 23 recites "a processor coupled with the temperature sensor to selectively identify media type based on sensed temperature of the media." Claims 26 and 27 each recite "identifying media type

based on the heat capacity of the media." Each of applicants' independent claims is thus distinguished from Martin et al. and the other references cited in the present Office action. The remaining claims (claims 6, 7, 15-17, 21, 24, 25 and 31) depend from claims 1, 12, 23, 26, 27 and 30, and thus are distinguishable from Martin et al. and the other cited references for at least the same reasons as set forth above. The rejections of claims 6, 7, 12, 16, 17, 21, 23-27 and 31 under 35 U.S.C. § 103(a) thus should be withdrawn.

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, the Examiner is asked to please contact the undersigned attorney of record.

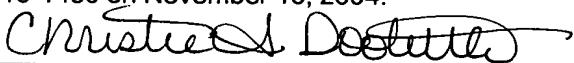
Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 10, 2004.



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